

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Cody Blake Stoneking,

Plaintiff  
v.

State of Nevada,

## Defendant

Case No. 2:19-cv-01716-JAD-NJK

**Order Adopting Report and  
Recommendation and Dismissing Case  
as Frivolous**

[ECF Nos. 3, 4]

8 Pro se plaintiff Cody Blake Stoneking initiated this action with nearly 200 pages of  
9 complaint and exhibits that Magistrate Judge Nancy Koppe summarizes as “rambling”  
10 discussion that “appears at bottom to seek relief related to state court proceedings,” which this  
11 court lacks jurisdiction over.<sup>1</sup> “In light of the frivolous nature of Plaintiff’s claims,” the  
12 magistrate judge recommends that I dismiss this case with prejudice.<sup>2</sup> Stoneking timely filed an  
13 objection to that recommendation.<sup>3</sup> That objection is similarly rambling and largely nonsensical,  
14 and it completely fails to address the concerns that led the magistrate judge to recommend  
15 dismissal. Having examined the complaint and reviewed de novo the magistrate judge’s report  
16 and recommendation, I, too, find that that this action is frivolous and must be dismissed with  
17 prejudice for the reasons the magistrate judge has articulated, and that leave to amend would be  
18 fruitless because the plaintiff can state no plausible claim for relief in this court based on the  
19 allegations in the complaint.

1 ECF No. 3.

23 |<sup>2</sup> *Id.* at 2.

^3 ECF No. 4.

1 IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation  
2 [ECF No. 3] is ADOPTED in full;

3 IT IS FURTHER ORDERED THAT this case is dismissed with prejudice as frivolous.  
4 The Clerk of Court is directed to ENTER JUDGMENT ACCORDINGLY and CLOSE THIS  
5 CASE.

6 Dated: October 17, 2019

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8 U.S. District Judge Jennifer A. Dorsey

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